

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

CAROL LEE MILLER and husband,)
DAN MILLER,)
Plaintiffs,)
)
v.) No. 3:09-CV-173
) (Phillips)
WAL-MART STORES EAST, LP)
Defendant.)

JUDGMENT ON DECISION BY THE COURT

This case came before the court on the motion for summary judgment by defendant Wal-Mart Stores East LP. The Honorable Thomas W. Phillips, United States District Judge, having rendered a decision on the defendant's motion,

IT IS ORDERED AND ADJUDGED that the plaintiffs Carol Lee Miller and Dan Miller take nothing, that the action be **DISMISSED WITH PREJUDICE** on the merits, and that the defendant Wal-Mart Stores East, LP, recover of the plaintiffs its costs of action.

The final pretrial conference scheduled for July 3, 2012, and the trial scheduled for July 10, 2012 are **CANCELLED**.

Dated at Knoxville, Tennessee, this _____ day of October, 2011.

s/ Patricia L. McNutt
Clerk of Court